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Testimony presented to the Public Safety and Security Committee

IN OPPOSITION TO RAISED BILL No. 969 AN ACT CONCERNING FEES CHARGED FOR CRIMINAL HISTORY RECORDS CHECKS.

by Robert T. Crook, Director

February 28, 2013

We OPPOSE this bill in reference only to provisions concerning Pistol Permit Applications. Several municipalities are charging fees incompatible with statutes.

A few years ago Pistol Permit fees were doubled from \$35 to \$70 for both the municipality and the state. The current Fee structure for the permit process: is \$70.00 to the town, local authority fee; \$19.25 to the DPS, federal fingerprint/background fee; \$50.00 to the DPS, State of CT Fingerprint/background check fee. Then you get your temporary permit and pay \$70.00 for the State DPS pistol permit fee. Total: \$209.25. We believe low income persons who may need a permit most have been priced out of the system.

There appears to be great confusion in some locales as to what can be legally charged. The \$140 fee for the local and state permit is clear. Confusing are charges for supplemental fees. Some towns are reportedly charging additional fees: Canaan – \$80; Granby – \$20. Others are charging additional fingerprint fees over the \$19.25 standard: Manchester – \$25; Torrington – \$25. This is not a complete list.

Additionally, many towns are not abiding by the law in Sec. 29-29 and forcing applicants to take/pay for fingerprints. Sec. 29-29. (b) The local authority shall take the fingerprints of such applicant or conduct any other method of positive identification required by the State Police Bureau of Identification or the Federal Bureau of Investigation, unless the local authority determines that the fingerprints of such applicant have been previously taken and the applicant's identity established, and such applicant presents identification that the local authority verifies as valid. Following current law would save those (veterans, police officers, bus drivers, social workers, etc.) who have fingerprints on file \$69.25. As we understand the DPS/police technical systems, verification can be accomplished in seconds. We believe there is no local level additional fingerprint fee other than the state fees required for in statute. We also question where the \$19.25 fingerprint fee originated since there is nothing in statute and this bill Sec 1 (c) (5) indicates \$15 with no new change. We would urge DPS to investigate/correct these additional fees charged not comporting with current law, and place a fact sheet on their website to inform the public of their rights.

We note there are no significant changes in fees except Sec 1 (c) (6) additional copy of fingerprints requested at the time of initial fingerprinting, five dollars; and. We question what entity is doing the requesting? Will this be another manipulative fee attached to pistol permitting?

I have attached the statutes referenced.

Thank you.

Sec. 29-30. Fees for pistol and revolver permits. Expiration and renewal of permits. (a) The fee for each permit originally issued under the provisions of subsection (a) of section 29-28 for the sale at retail of pistols and revolvers shall be two hundred dollars and for each renewal of such permit two hundred dollars. The fee for each state permit originally issued under the provisions of subsection (b) of section 29-28 for the carrying of pistols and revolvers shall be **one hundred forty dollars plus sufficient funds as required to be transmitted to the Federal Bureau of Investigation to cover the cost of a national criminal history records check.** The local authority shall forward sufficient funds for the national criminal history records check to the commissioner no later than five business days after receipt by the local authority of the application for the temporary state permit. **Seventy dollars shall be retained by the local authority.** Upon approval by the local authority of the application for a temporary state permit, seventy dollars shall be sent to the commissioner. The fee to renew each state permit originally issued under the provisions of subsection (b) of section 29-28 shall be seventy dollars. Upon deposit of such fees in the General Fund, ten dollars of each fee shall be credited within thirty days to the appropriation for the Department of Emergency Services and Public Protection to a separate nonlapsing account for the purposes of the issuance of permits under subsections (a) and (b) of section 29-28.

Sec. 29-29. (b) **The local authority shall take the fingerprints of such applicant or conduct any other method of positive identification required by the State Police Bureau of Identification or the Federal Bureau of Investigation, unless the local authority determines that the fingerprints of such applicant have been previously taken and the applicant's identity established, and such applicant presents identification that the local authority verifies as valid.** The local authority shall record the date the fingerprints were taken in the applicant's file and, within five business days of such date, shall forward such fingerprints or other positive identifying information to the State Police Bureau of Identification which shall conduct criminal history records checks in accordance with section 29-17a.

Sec. 29-17a. Criminal history records checks. Procedure. Fees. (a) If a criminal history records check is required pursuant to any provision of the general statutes, such check shall be requested from the State Police Bureau of Identification and shall be applicable to the individual identified in the request. **The requesting party shall arrange for the fingerprinting of the individual or for conducting any other method of positive identification required by the State Police Bureau of Identification and, if a national criminal history records check is requested, by the Federal Bureau of Investigation. The fingerprints or other positive identifying information shall be forwarded to the State Police Bureau of Identification which shall conduct a state criminal history records check. If a national criminal history records check is requested, the State Police Bureau of Identification shall submit the fingerprints or other positive identifying information to the Federal Bureau of Investigation for a national criminal history records check, unless the Federal Bureau of Investigation permits direct submission of the fingerprints or other positive identifying information by the requesting party.**